

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

UNITED STATES OF AMERICA,

CR05-5159FDB

Plaintiff,

VS

EUGENE LEONARD HENDERSON,

**ORDER GRANTING MOTION
TO CONTINUE TRIAL DATE**

Defendant.

THE COURT having considered the oral motion for continuance of the trial date, the records and files herein, the Court hereby makes the following findings:

The Court finds that a failure to grant the continuance would deny counsel the reasonable time necessary for effective preparation, taking into account the exercise of due diligence, within the meaning of 18 U.S.C. § 3161(h)(8)(B)(ii).

The Court further finds that the ends of justice will be served by ordering a continuance in this case, that a continuance is necessary to insure effective trial preparation and that these factors outweigh the best interests of the public in a more speedy trial, within the meaning of 18 U.S.C. § 3161(h)(8)(A).

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1 IT IS THEREFORE ORDERED that the trial date in this case shall be continued from April 25,
2 2005 to May 31, 2005 at 9:00 a.m.

3 IT IS FURTHER ORDERED the period of time from the current trial date of April 25, 2005,
4 up to and including the new trial date of May 31, 2005, shall be excludable time pursuant to the Speedy
5 Trial Act, 18 U.S.C. § 3161 *et seq.*

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DONE this 15th day of April, 2005.

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/s/ Franklin D Burgess

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Franklin D Burgess

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United States District Judge

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